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427.092

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Yves CHRISTEN : Group: 1655
Serial No.: 10/517,219 :
Filed: December 3, 2004 : Examiner: Chen, Catheryne
For: USE ...DETIMENTOF FATTY MASS:

Hedman and Costigan
1185 Avenue of the Americas
New York, NY 10036
April 3, 2008

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office action of October 16, 2008, reconsideration of this application is requested in view of the remarks presented herein.

The claims in the application are claims 9 to 11, all other claims having been cancelled.

Claims 9 to 11 have been rejected under 35 USC 102 as being anticipates by the O'Reilly et al. patent and under 35 USC 103 as being obvious over the Schwabe patent from reasons of record. The Examiner deems O'Reilly et al and Schwabe administers the same composition to the same patients and therefor gets the same result.